

STATE PLAN UNDER TITLE XIX OF THE SOCIAL SECURITY ACT

State: North Carolina

The agency does not apply the trust provisions in any case in which the agency determines that such application would work an undue hardship.

The following criteria will be used to determine whether the agency will not count assets transferred because doing so would work an undue hardship:

When application of trust provisions would deprive an individual of medical care such that his health or life would be endangered or deprive the individual of food, clothing, shelter, or other necessities of life.

Under the agency's undue hardship provisions, the agency exempts the funds in an irrevocable burial trust.

The agency does not impose a limit as long as the burial contract itemizes each burial item and/or service.

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